

## REMARKS

The Final Office Action dated May 17, 2007 (hereinafter, "the Final Action") and the Advisory Action dated June 21, 2007 have been considered. Pursuant to the RCE filed herewith, claims 1, 2, 18, 15, 21, and 26 have been amended, claims 9 and 21 have been canceled without prejudice or disclaimer, and new claims 30 and 31 have been added. Support for the amendments and the new claims may be found in the specification and drawings as originally filed and no new matter is introduced by these amendments. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

### Telephonic Interview of September 14, 2007

At the outset, the undersigned notes with appreciation the courtesies extended by Examiner Chu during the telephonic interview of September 14, 2007. During the telephonic interview, the undersigned proposed amendments to clarify the relationship between the distance(s) between the terminals and the electronic characteristic of the filter(s) recited in the subject matter of the claims. In particular, claim amendments were proposed to clarify that the predetermined distance(s) are sufficient to maintain an input-to-output isolation attenuation therebetween that is not less than an attenuation of the filter(s). The Examiner noted that such the amended features could be potentially problematic if considered in view of a prior art reference whereby a filter is shut-down or otherwise disabled, thereby providing zero attenuation (or, alternately, near infinite attenuation). In an effort to advance the present application and to distinguish the claims from such an interpretation, the claims have been amended to refer to the "operational" attenuation of the filter(s), thereby identifying an attenuation provided by the filter when operational.

### §112 Rejection of Claims 1-29

At page 2 of the Final Action, claims 1-29 are rejected under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. The claims have been amended to more clearly claim the inventive subject matter, thereby obviating this rejection.

In particular, the claims have been amended to clarify the relationship between the predetermined distance, the input-to-output isolation, and the electrical characteristic of the

external filter. Accordingly, independent claim 1 has been amended to presently recite the features of “wherein said first and second terminal pairs are separated by a first predetermined distance sufficient to maintain an input-to-output isolation attenuation therebetween of not less than a first operational attenuation of the first external filter.” Independent claims 15, 21, and 26 have been similarly amended. It is respectfully submitted that independent claims 1, 15, 21, and 26, as presently amended, particularly point out and distinctly claim the subject matter which the Applicants regard as the invention.

As noted above, the claims have been amended to recite the “operational” attenuation of the corresponding external filter; that is, attenuation provided by the external filter while operational. Although the term “operational attenuation” is not expressly recited in the specification as originally filed, as stated in MPEP § 2163.02, the fundamental factual inquiry is whether a claim defines an invention that is clearly conveyed to those skilled in the art at the time the application was filed. The subject matter of the claim need not be described literally (i.e., using the same terms or in *haec verba*) in order for the disclosure to satisfy the description requirement. Likewise, as stated in MPEP § 216.07(a), by disclosing in a patent application a device that inherently performs a function or has a property, operates according to a theory or has an advantage, a patent application necessarily discloses that function, theory or advantage, even though it says nothing explicit concerning it. The application may later be amended to recite the function, theory or advantage without introducing prohibited new matter. *In re Reynolds*, 443 F.2d 384, 170 USPQ 94 (CCPA 1971), *In re Smythe*, 480 F. 2d 1376, 178 USPQ 279 (CCPA 1973). The Present Application provides more than ample support for one of ordinary skill in the art to recognize that the attenuation characteristics of the filters discussed in the specification refer to those of filters while in operation, as evinced by the disclosure at, *inter alia*, paras. 0016 and 0017 (describing the operation of the radio receiver 100), para. 0018 (describing the attenuation characteristics of a SAW filter, which are only applicable while the SAW filter is operational), FIG. 4 and para. 0022 (describing the attenuation characteristics of a particular SAW filter, which are only applicable while the SAW filter is operational). Accordingly, it is inherent to the Present Application that the referenced attenuations of the filters are operational attenuations of the filters and thus the amendments to the claims to reference operational attenuations does not introduce new matter.

In view of the foregoing, reconsideration and withdrawal of the § 112, second paragraph, rejection of claims 1-29 is respectfully requested.

#### **Rejections of Claims 1-14 and 21-25**

At page 5 of the Final Action, claims 1-3, 5-7, and 21-23 are rejected under 35 U.S.C. § 102(b) as anticipated by Hikita (U.S. Patent No. 6,396,154). At page 14 of the Final Action, claims 4, 8-4, 24, and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hikita. These rejections are respectfully traversed with amendment.

Independent claim 1 has been amended and presently recites the features of “wherein said first and second terminal pairs are separated by a first predetermined distance sufficient to maintain an input-to-output isolation attenuation therebetween of not less than a first operational attenuation of the first external filter.” Hikita fails to contemplate an operational attenuation of an external filter in any manner, much less that first and second terminal pairs of an integrated circuit are separated by a predetermined distance sufficient to maintain an input-to-output isolation attenuation therebetween that is not less than an operational attenuation of an external filter as provided by claim 1. Accordingly, Hikita fails to disclose, or even suggest, each and every feature presently recited by claim 1.

Independent claim 21 has been amended and presently recites the features of “wherein said first pair of terminals and said second pair of terminals are separated by a distance sufficient to maintain an input-to-output isolation attenuation therebetween that not less than an operational attenuation of said external filter.” As similarly discussed above with reference to claim 1, Hikita fails to disclose, or even suggest, these claimed features and thus Hikita fails to disclose each and every feature presently recited by claim 21.

Hikita also fails to disclose, or even suggest, each and every feature recited by claims 2-14 and 23-25 at least by virtue of their respective dependencies from one of claims 1 or 21. Moreover, these dependent claims recite additional novel features.

In view of the foregoing, reconsideration and withdrawal of the anticipation rejection of claims 1-3, 5-7, and 21-23 and the obviousness rejection of claims 4, 8-14, 24, and 25 is respectfully requested.

**Rejections of Claims 15-20**

At page 8 of the Final Action, claims 15-19 are rejected under 35 U.S.C. § 102(b) as anticipated by Dreifus (U.S. Patent No. 5,576,589). At page 16 of the Final Action, claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Dreifus in view of Hayashi (U.S. Patent No. 6,329,715). These rejections are respectfully traversed with amendment.

Independent claim 15 has been amended and presently recites the features of “wherein said first terminal and said second terminal are separated by a first distance sufficient to maintain a first input-to-output isolation attenuation therebetween that is not less than a first operational attenuation of the first external filter, and wherein said third terminal and said fourth terminal are separated by a second distance sufficient to maintain a second input-to-output isolation attenuation therebetween that is not less than a second operational attenuation of the second external filter.” Dreifus fails to contemplate an operational attenuation of an external filter in any manner, much less that first and second terminals of an integrated circuit are separated by a predetermined distance sufficient to maintain an input-to-output isolation attenuation therebetween that is not less than an operational attenuation of an external filter as provided by claim 15. Hayashi fails to compensate for the deficiencies of Dreifus with respect to these claim features. Accordingly, Dreifus and Hayashi, individually or in combination, fail to disclose, or even suggest, each and every feature presently recited by claim 15. Dreifus and Hayashi also fail to disclose or suggest each and every feature recited by claims 16-20 at least by virtue of their dependency from claim 15. Moreover, these dependent claims recite additional novel features.

In view of the foregoing, reconsideration and withdrawal of the anticipation rejection of claims 15-19 and the obviousness rejection of claim 20 is respectfully requested.

**Anticipation Rejection of Claims 26-29**

At page 11 of the Final Action, claims 26, 27, and 29 are rejected under 35 U.S.C. § 102(b) as anticipated by Hazama (U.S. Patent No. 4,296,391). At page 16 of the Final Action, claim 28 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hazama. These rejections are respectfully traversed with amendment.

Independent claim 26 has been amended and presently recites the features of “wherein said adjacent first and second terminals and said adjacent third and fourth terminals are separated

by a first distance sufficient to maintain an input-to-output isolation attenuation therebetween that not less than a first operational attenuation of said first external filter” and “wherein said adjacent fifth and sixth terminals and said adjacent seventh and eighth terminals are separated by a second distance sufficient to maintain an input-to-output isolation attenuation therebetween that is not less than a second operational attenuation of said second external filter.” Hazama fails to contemplate an operational attenuation of an external filter in any manner, much less that terminals of an integrated circuit are separated by a predetermined distance sufficient to maintain an input-to-output isolation attenuation therebetween that is not less than an operational attenuation of an external filter as provided by claim 26. Accordingly, Hazama fails to disclose, or even suggest, each and every feature presently recited by claim 26. Hazama also fails to disclose or suggest each and every feature recited by claims 27-29 at least by virtue of their dependency from claim 26. Moreover, these dependent claims recite additional novel features.

In view of the foregoing, reconsideration and withdrawal of the anticipation rejection of claims 26, 27, and 29 and the obviousness rejection of claim 28 is respectfully requested.

#### **Addition of New Claims 30 and 31**

New claims 30 and 31 have been added. New claim 30 depends from claim 15 and recites the additional features of “wherein said first operational attenuation comprises a stopband attenuation of said first external filter and wherein said second operational attenuation comprises a stopband attenuation of said second external filter.” New claim 31 depends from claim 21 and recites the additional features of “wherein said operational attenuation comprises a stopband attenuation of said external filter.” Support for these claims can be found in the specification and drawings as originally filed. None of the cited reference describe a stopband attenuation of an external filter and thus fail to disclose or suggest the recited features of claims 30 and 31. Entry thereof therefore is respectfully requested.

#### **Conclusion**

The Applicants respectfully submit that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present

application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Applicants believe no additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

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Date